



**PARK CITY COUNCIL MEETING SUMMARY
445 MARSAC AVENUE
PARK CITY, UT 84060
SUMMIT COUNTY, UTAH**

March 3, 2016

The Council of Park City, Summit County, Utah, met in open meeting on March 3, 2016, at 2:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, litigation, and security at 2:00 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Matsumoto moved to adjourn from Closed Meeting. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

STUDY SESSION

1. Park City Strategic Planning Discussion:

Jed Briggs, Budget Operations Manager, indicated this session focus on the City priority of having an inclusive community that values historic preservation, economic diversity, and the arts and culture. The Council discussed proposed changes to the desired outcomes for this priority. Briggs noted he would break out Key Indicators to show the "Excellent" ratings, and would send that out as part of the retreat packet. He noted the increase in building permits over the past five years, the rise in library attendance, the increase in Planning applications, etc. Briggs reviewed the recent successes listed in the packet, as well as the challenges in this priority. The Council gave suggestions for the different bullet points. Briggs displayed the Trends and Opportunities. Affordable housing was discussed as well as recreation facilities and programs as a means for bringing the community together. Council Member Worel stated being welcoming to the Latino community would be another goal for the City.

Briggs then reviewed the staff action plan. Nate Rockwood, Capital Budget Manager, then explained the 10 year projection of the City's financial condition. He noted that sales tax revenue and property tax revenue had been equal in former years, but the growth in the economy had boosted sales tax revenue, which now comprised 36% of the City's total revenue. He indicated that sales tax revenue was a more volatile source of income and if it diminished in the future, projects would have to be reevaluated.

Rockwood displayed the budget compared to short term projections, and noted the Building, Planning, and Engineering (BPE) fees were also volatile, depending on the year, and were a very unstable revenue source. He indicated that the budget looked very good overall, and stated one issue was that some sources of revenue could not go into the General Fund, so a challenge was to accommodate the demand growth with a fixed General Fund base. It was indicated that further discussion on this topic would take place next week at the Council Retreat.

WORK SESSION

2. 2016 Monthly Energy Update: Part One – Georgetown University Energy Prize:

Matt Abbott, Sustainability, and Mary Christa Smith, Project Manager of the Georgetown Energy Prize for this area, Summit Community Power Works, presented this item. Smith reviewed that Summit County and Park City combined to compete for a \$5 million prize for the entity that reduced its energy use the most, between January, 2015, and December, 2016. Four strategic initiatives were the focus of this project: LED light bulbs, smart thermostats, weatherization education and a solar energy program. Stakeholder groups included residents, local government and schools. She reviewed the progress of the stakeholders with regard to each of the initiatives. Smith felt that this project united the community in reaching the City's energy goal. She thought the free market helped make the program a success, and she related the savings achieved by schools and businesses that changed their lights to LED.

3. Discuss Potential Funding Options for Anticipated Transit, Transportation and Parking Improvements

Nate Rockwood, Capital Budget Manager, and Alfred Knotts, Transportation Planning Manager, presented this item. It was indicated that the City was working with the County to reach solutions to transportation problems. Knotts reviewed the significant priority projects. The SR 248 Congestion Relief and Safety Improvement Project included adding HOV lanes, having access improvements to Richardson Flat, school crossing improvements and Bonanza Drive/SR 248 intersection improvements. The SR 224 Multi-Modal Corridor Enhancement Project would include HOV lanes, pedestrian crossing, signal preemption and SR224/Kearns intersection improvements. Knotts noted that his team was still waiting for the final results of the transportation study and the associated recommendations. Another project was Transit Centers and Park and Ride Lots, which would include land acquisition, transit centers at Park City Heights/Quinn's Junction, Park City Mountain Resort (PCMR) and Bonanza Park, a parking structure, access improvements, passenger amenities and Intelligent Transportation Systems (ITS) infrastructure. Other improvement possibilities were Silver King/Empire intersection improvements, Deer Valley Drive/ Bonanza Drive intersection improvements, Deer Valley Drive/ Empire Avenue/ Park Avenue intersection improvements, aerial connections, and regional transit connections.

Rockwood noted some funding options for these projects that Summit County presented, included a property tax levy, a quarter cent sales tax, a county option for mass transit or fixed guideway, and a county tax that would go into a state pool to be distributed according to need.

Options for taxes the City could levy, that would align with the County taxes, included a quarter cent transit sales tax. This option would require a vote from the public. Another option was a 1% Transient Room Tax (TRT) for transit and could be enacted by a City Council vote. Council Member Henney asked if this tax could support a bond. Rockwood stated the majority of the funds could be dedicated to the bond in order to strengthen the bond rating. Federal and State grants would be other options to fund these projects. Another option would be to assess a property tax and then transfer those funds into the Transportation Fund. Other funding options included paid parking revenue, collaborating with regional partners, having public/private partnerships, increasing business license fees for transit, and instituting a fare.

Council Member Henney stated the general obligation bonds were tied to a property tax increase, which would put a burden on the taxpayer. He wondered who the Council wanted to put the burden on, whether it would be the property owners, sales tax on all who buy within the City limits, or nightly visitors. Council Member Beerman stated the GEO bonds wouldn't handle the operating costs. He hoped to have more details to present to the community once the study was finalized. He asked what the timing for this recommendation would be. Knotts stated a recommendation would come before the Council on the 24th of this month. Foster stated a joint meeting with the County Council would take place in April to discuss this issue further.

Council Member Worel asked when the final studies would be done. Knotts stated the studies would be finalized by the end of March to the middle of April. Council Member Worel felt it was important that the day visitors should share in the cost as well as those that lived in the community. Council Member Matsumoto felt the SR248 and SR224 improvements were both safety related. She understood that a combination of funding sources was needed. She thought the Transient Room Tax (TRT) could be one source and recognized other sources would be needed as well. Knotts stated with the TRT, the Council could decide what portion of that would be used for these projects. He also indicated that because of the safety reasons for this project, more funding options would be available.

4. Discuss the Citizens Open Space Advisory Committee's (COSAC) Recommendation Associated with the Proposed Preservation Easement on the Clark Ranch Properties:

Heinrich Deters, Sustainability, Meg Ryan, Utah League of Cities and Towns (ULCT), Steve Joyce, Planning Commission, and Wendy Fisher, Utah Open Lands, presented this item on behalf of Citizens Open Space Advisory Committee (COSAC). Ryan stated the Council asked the committee last year to recommend options for this parcel. They

asked two questions: Should we consider the east side of Clark Ranch for a conservation easement, and, What value would the whole parcel have if it was all set aside as a conservation easement. Ryan reviewed the process the committee engaged in to get to the recommendation. Three things were presented for the Council to consider: Preserve, protect the corridor and wiggle room for uses for this parcel. She displayed a map of the area, and stated growth was coming to the City. She thought this parcel might be the only open space between Kimball Junction and Jordanelle in 10 years. Joyce stated indicated the committee used four areas as criteria for their decision: Recreation, Aesthetics, Critical Conservation and Community Character, and he reviewed each area considered. He stated the committee's recommendation was to preserve both the east and west sides of the Clark Ranch property. He suggested that if the Council did construct buildings on this parcel, a good place would be adjacent to the Park City Heights subdivision. Other recommendations were also displayed in his presentation.

Mayor Thomas stated the Council felt this property was important. Council Member Beerman stated COSAC was a dedicated group and had spent a year analyzing these properties. He knew this recommendation was made with a lot of premeditation and thought. He thanked the committee for all their work.

REGULAR MEETING

I. Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

Council Questions and Comments:

Council Member Matsumoto stated she attended the Historic Preservation Board meeting, noting that it was difficult and some tough decisions were made.

Council Member Gerber indicated she attended the Ice Rink 10th Anniversary, the Mountain Recreation meeting at the MARC, the Park City Area Lodging Association meeting, and the Planning Commission meeting.

Council Member Beerman stated he went to the Capitol for a Legislative Policy meeting, and updated the Council that the Nightly Rental bill had been pushed to the Interim Session. He spoke with the interim CEO of UTA, and indicated that UTA was involved in major restructuring. The CEO was pleased with the Salt Lake Connect program and asserted that he would like to work with Park City to bring a bus up to Park City from the airport. Council Member Beerman also attended the GOED meeting on hyperloop technology. He also looked at the General Plan, Natural Environment section, per the Council's request, and recommended that some sections be amended in order to comply with the City's current goals. Harrington suggested the Planning Commission start that process.

Council Member Henney stated he attended the Dog Task Force meeting and the Recreation Advisory Board meeting. He noted that a bill in Oregon was passed requiring the public utilities to get off coal in the next 13 years. He was encouraged by this energy bill and hoped for the same for Utah.

Council Member Worel indicated she went to a community open house for Park City Tots. The facility was already full for infants and was projected to be totally full by the end of August. She felt this spoke to the needs of the community with regard to affordable child care.

Mayor Thomas stated he went to the Legislative Policy meeting, a Utah Valley University (UVU) discussion on their expansion, the GOED meeting and the Park City Historical Society meeting.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Manager's Report - Public Lighting Update:

Council Member Worel asked for clarification as to why the City was not meeting the standards. Matt Cassel, City Engineer, stated there were urban standards for lighting and he did not think Park City wanted to meet those standards because he didn't think of Park City as an urban entity; but he indicated he would look at that more carefully. Council Member Henney asked why the standard wasn't necessarily a requirement. Cassel asserted the lighting standard was not a requirement, but noted that if someone tripped and hurt themselves, the City might be liable if it didn't meet the standard. Council Member Beerman asked if there was a cost to remove and dispose of the old lighting. It was noted that the cost was \$300 per light.

2. Manager's Report - Skating Instructor Success:

No comments were given.

III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

No comments were given.

iv. CONSIDERATION OF MINUTES

1. Consideration of a Request to Approve the City Council Meeting Minutes from February 11, 2016:

Council Member Gerber moved to approve the City Council Meeting minutes from February 11, 2016. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

v. CONSENT AGENDA

1. Consideration to Approve an Amendment to the BOARD Software Maintenance Contract Entered into with Neubrain, with the Total Cost of the Maintenance Extension Being \$16,719.84:

2. Request to Authorize the City Manager to Execute a Service Provider Agreement with the Historic Park City Alliance to Continue to Provide Business Promotion Activities Within the Main Street Business Improvement District in Which the City Collects a \$243 Tax Levied on the Qualified Businesses Within the District and Redistributes the Total Collection to the Service Provider on an Annual Basis:

Council Member Henney moved to approve the Consent Agenda. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

vi. OLD BUSINESS

1. 2016 Legislative Update - Week 5:

Mayor Thomas thanked Matt Dias, Assistant City Manager, for his work at the Legislature. Dias stated the Nightly Rental bill would not pass this year. The downside to this was that the bill was now in an interim committee, so it could come back next year. He indicated the biggest challenge at the Legislature now was the Internet Sales Tax bill. Council Member Matsumoto asked about the Reusable Bag bill. Dias indicated that if the Reusable Bag bill passed, a \$.10 tax would be put on each plastic bag filled with products at all stores in Utah, but he noted that he didn't think it would pass.

vii. NEW BUSINESS

1. Consideration of Amending Municipal Code of Park City Title 11, Chapter 13, Section 1 et seq as it Pertains to the Imposition of Water Impact Fees on Outdoor Dining Areas:

Jonathan Weidenhamer, Economic Development Manager, stated outdoor dining areas did not contribute to a high water demand, so he recommended that these areas be put on a special fee schedule. He indicated that if the Council was amenable to this, Clint McAfee, Water Manager, would bring back an amendment for approval. Council Member Henney asked who initiated this proposed amendment. Weidenhamer stated the restaurants brought this to the City's attention. McAfee reviewed the history of the fees for dining areas.

Council Member Beerman disclosed that he was a landlord for a restaurant with outdoor dining. He stated that outdoor dining had a very short season here, so an impact fee was not equitable with other restaurants. McAfee stated that data was taken on restaurant sales and the peak demand was in the winter, when outdoor dining was not offered. Council Member Beerman stated the restaurant was still receiving revenue and every little bit would contribute to the water systems. McAfee indicated the outdoor dining area impact was very small.

Mayor Thomas stated currently the City was collecting fees from outdoor dining, and asked what would be the consequence of amending the fee. Weidenhamer stated that would be hard to project, but the Water Department did not predict an impact for these users. Discussion ensued with regard to this topic.

Mayor Thomas opened the meeting for a public hearing.

Allison Kuhlrow-Butz, Historic Park City Alliance, asked the Council to consider amendments for other parts of town as well.

Mayor Thomas closed the public hearing portion of the meeting.

Council Member Beerman stated he thought these fees were too high, but in fairness, a small fee should be required. Council Member Henney agreed and asked if some options could be brought back for policy recommendations. McAfee stated the code would strike "including outdoor decks" and it would be under the non-standard use category.

Tom Daley stated the idea was to give the Building Official discretion as to when to charge the impact fee. He felt this would encourage more outdoor dining areas.

The Council was in favor of having an amended policy brought back for approval.

Council Member Henney moved to approve the consideration of amending the Water Impact Fee Schedule to move outdoor dining decks into a non-standard formula. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

2. Consideration to Approve the Level Three Special Event Permit for Thin Air Innovation Festival, Scheduled to be Held April 6-8, 2016 with a Road Closure on Lower Main Street, from 7th Street to 9th Street, on Thursday and Friday April 7-8, 2016:

Jenny Diersen, Special Events, and Bob Kollar, Chamber of Commerce, presented this item. Kollar reviewed the agenda for the festival and indicated it was hoped that this would become an annual event. It was noted that this event was brought up at the Special Events Advisory Committee (SEAC) and no concerns were raised.

Council Member Worel indicated she was in favor of the event. She asked what the impact to merchants on lower Main Street would be when the streets were closed. Diersen indicated merchants were notified and there were no complaints.

Mayor Thomas opened the public hearing portion of the meeting.

Allison Butz, Historic Park City Alliance, stated the committee reviewed the event and they were in favor of having this event.

Mayor Thomas closed the public hearing portion of the meeting.

Council Member Beerman moved to approve the Level Three Special Event Permit for Thin Air Innovation Festival, scheduled to be held April 6-8, 2016 with a Road Closure on Lower Main Street, from 7th Street to 9th Street, on Thursday and Friday April 7-8, 2016. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3. Consideration of Ordinance No. 16-09, an Ordinance Approving a Zoning Map Amendment from Historic Residential (HR-1) District to Residential (R-1) District at 408/410/412 Deer Valley Loop Pursuant to Findings of Fact and Conclusions of Law in a Form Approved by the City Attorney:

Francisco Astorga, Planning Department, indicated the applicants requested a rezoning of the lots because of access reasons. They also requested a plat amendment to consolidate the three lots to two lots. The access would still be from Deer Valley Loop Road. Also, no duplexes would be allowed on the lots. He noted in changing the zoning district, it would change what was allowed and not allowed. One change would be that a triplex would be a conditional use.

Council Member Beerman asked about the mine shafts. Astorga stated they were platted in the 2009 survey, and indicated that if a structure was to be built over it, a structural engineer would need to verify that the mine was closed properly and the land could support a structure. Council Member Matsumoto referred to the map in the packet and confirmed the surrounding area was already zoned R-1 Residential. Astorga confirmed the area on the map that was being changed.

Mayor Thomas opened the public hearing portion of the meeting for Item Three of the agenda. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Mayor Thomas opened the public hearing portion of the meeting for Item Four on the agenda. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Worel moved to approve Ordinance No. 16-09, an Ordinance approving a Zoning Map Amendment from Historic Residential (HR-1) District to Residential (R-1) District at 408/410/412 Deer Valley Loop pursuant to findings of fact and conclusions of law in a form approved by the City Attorney. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

4. Consideration of Ordinance No. 16-10, an Ordinance Approving the Gateway Estates Replat - Second Amended Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

The public hearing for this item was held in conjunction with the prior agenda item.

Council Member Worel moved to approve Ordinance No. 16-10, an Ordinance approving the Gateway Estates Replat - Second Amended Plat Amendment pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

5. Consideration of Ordinance 16-11, an Ordinance Approving the Lodges at Deer Valley Phase One, First Amended Record of Survey Plat, Utah Expandable Condominium Project Located at 2900 Deer Valley Drive, Park City Utah, Based

on the Findings of Fact, Conclusions of Law and Conditions of Approval (A)

Public Hearing (B) Action:

Makena Hawley, Planning Department, presented this item, and indicated The Lodges at Deer Valley had requested this amendment to turn the assigned parking into common area.

Mayor Thomas opened the public hearing portion of the meeting. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Matsumoto moved to approve Ordinance 16-11, an Ordinance approving the Lodges at Deer Valley Phase One, First Amended Record of Survey Plat, Utah Expandable Condominium Project located at 2900 Deer Valley Drive, Park City Utah, based on the findings of fact, conclusions of law and conditions of approval. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

6. Consideration of Ordinance 16-12, an Ordinance Approving the 1043 and 1049 Park Avenue Plat Amendment, Located at the 1043 and 1049 Park Avenue, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Planning Department, presented this item. She indicated this amended plat would remove some interior lot lines and the City would receive some snow storage easements.

Mayor Thomas opened the public hearing portion of the meeting. No comments were given. Mayor Thomas closed the public hearing portion of the meeting.

Council Member Gerber moved to approve Ordinance 16-12, an Ordinance approving the 1043 and 1049 Park Avenue Plat Amendment, located at the 1043 and 1049 Park Avenue, Park City, UT, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, Park City Recorder